

NOTICE OF WATER RIGHT.

(3)

THE STATE OF MONTANA,  
COUNTY OF PLETHHEAD.

RE IT IS VACED, That Philip Eefer

1. All whom these Presents may Concern.

36-81

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of Columbia Falls in said County and State, do hereby publish and declare, as a legal notice to all the world,

I. That

He has a legal right to the use, possession and control of and claim 26.466 Acre of land in 4000 inches of the waters of Ophryslace Creek in said County and State,

for irrigating and other purposes.

II. That the special purpose for which said water is intended to be used, and the place of intended use is General area about 1/2 mile to the west of a Creek North of the Great Falls River, just east of NE 1/4 of NE 1/4 of Sec 3 T 30 N. R. 40 W. (unappropriated).

III. That I have taken said water out of, and diverted it from said Creek by means of a ditch which said ditch is 74 inches by 48 inches in size, and carries or conducts 600 inches of water from said Creek, said ditch taps and diverts the water from said stream at a point upon its left bank about 28 rods Northwest from the NE 1/4 of NW 1/4 of said Sec 3.

thence running, or to run, to and upon said described land (and through said land, if so desire, to any requisite point of final discharge).

IV. That I appropriated and took said water on the Elizabeth day of April A. D. 1891, by means of said ditch.

V. That the name of the appropriator of said water is Philip Eefer.

VI. That I claim hereby claim said ditch and the right of way therefor, and for said water by it conveyed, or to be conveyed, from said point of appropriation to said land or point of final discharge, and also the right of location upon any lands of any dams, flumes, reservoirs, constructed or to be constructed by me in appropriating and in using said water.

VII. That I also claim the right to keep in repair and to enlarge said ditch by water appropriation at any time, and the right to dispose of the said right, water, ditch, or said appropriator part or whole at any time.

Claiming the Name,

TOGETHER with all and singular, the hereditaments and appurtenances thereto belonging or pertaining or to accrue to the same.

WITNESS my hand at Columbia Falls day of 1/1/91 A.D.

Elizabeth Eefer Montana, USA

Philip Eefer

THE STATE OF MONTANA.  
COUNTY OF PLETHHEAD.

Philip Eefer

*Having been seen and sworn to*

for the use or uses for which said water is intended to be used, and the place of intended use is  
the State of Montana, and the place of final discharge is the 3d & 3d N.W. 1/4 of section 3, T. 3 S. R. 30 N.W.

III. That he has taken said water out of, and diverted it from said CREEK  
by means of a ditch which said ditch is 24 inches by  
12 inches in size, and carrying up conduits 600 inches of water from said CREEK  
and 10 ft. above and diverts the water from said stream at a point upon its left bank  
at the 28 feet 20 rods west from the first corner of the NE 1/4 of section 3, T. 3 S. R. 30 N.W.

thereto running, or to run, to and upon said described land (and through said land, if I  
so desire, to any requisite point of final discharge).

IV. That he appropriated and took said water on the Eleventh day of  
April A. D. 1891, by means of said ditch.

V. That the name of the appropriator of said water is Philip Giefer.

VI. That I also hereby claim said ditch and the right of way therefor, and for said water  
by it conveyed, or to be conveyed, from said point of appropriation to said land or point of final discharge,  
and also the right of location upon any lands of any dams, flumes, reservoirs, constructed or to be constructed,  
by him in appropriating and in using said water.

VII. That I also claim the right to keep in repair and to enlarge said means of  
appropriation at any time, and the right to dispose of the said right, water, ditches, or other improvements in  
part or whole at any time.

### Claimant's signature

TOGETHER with all and singular, the hereditaments and appurtenances therunto belonging or re-  
taining or to accrue to the same.

WITNESS my hand at Columbia Falls, <sup>Montana, U.S.A.</sup> April 11th  
day of April 1891. *Philip Giefer*

THE STATE OF MONTANA,  
COUNTY OF FERTHEAD,

having first seen the foregoing  
deposition and my that he is of lawful age and *The* the appropriator and claimant of the water and  
water rights mentioned in the foregoing Notice and Statement of appropriation and date, and the person whose name  
is subscribed thereto as the appropriator and claimant, that he knows the contents of said notice and statement to be true,  
and that the matters and things therein stated are true.

Given and sworn to before me this Eleventh day of April A.D. 1891  
*Philip Giefer*

Deacon

Subscribed and sworn to before me this day of April A.D. 1891.